



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

## EVALUATION OF ENVIRONMENTAL IMPACTS

**APPLICANT:** Brian Botelho and Rebecca Ragsdale

**APPLICATION NOS.:** Initial Study Application No. 8130 and PCOC Application No. 3537

**DESCRIPTION:** Allow the creation of a 1.50-acre homesite (gift deed parcel) for conveyance to a relative from an existing 50.99-acre parcel located within the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The subject parcel is located on the southeast corner of W. California and Lassen Avenue, approximately 1,320 feet west of the nearest boundary limits of the City of Kerman (SUP. DIST.: 1) (APN: 020-041-06S & 07S).

### I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or
- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or

**FINDING:** LESS THAN SIGNIFICANT IMPACT:

Based on the description of the project, only limited development consisting of a single-family residence is proposed at a later date. The remainder of the parcel will continue to be utilized for agricultural purposes. In general, intensive development or uses would require a discretionary land-use permit and be subject to additional review.

- D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would allow the creation of a new parcel from an existing agricultural parcel and will allow both parcels to be developed with a single-family residence. The new residence can create a new source of lighting, but such development is not expected to be a source of substantial light or glare which would adversely affect day or nighttime views in the area. Therefore, the project is seen as having a less than significant impact.

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing parcel is enrolled in the Williamson Act Program under Contract No. 3721. Pursuant to the Fresno County Williamson Act Program Guidelines, parcels that are enrolled in the Program are required to have at least 20 acres of Prime Soil and an active agricultural operation, or at least 40 acres of Non-Prime soil and an active agricultural operation to be eligible to remain enrolled in the Program. The minimum size for a homesite to remain under the Program is 10 acres. The proposed 1.5-acre parcel does not qualify to remain in the Program and must be removed from the Program through the contract cancellation process. A recommendation for cancellation from the Agricultural Land Conservation Committee and approval of the cancellation from the Board of Supervisors is required to allow creation of the homesite parcel.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not located in forest land, timberland or timberland zoned Timberland Production. The project will not result in the loss of forest land or conversion of forest land to non-forest use.

- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed parcel split will not involve changes to the existing environment that could result in conversion of Farmland to non-agricultural use. The subject parcel is actively farmed; however, the Applicant has indicated that the proposed parcel may be improved with a single-family residence. The remainder (97%) of the proposed parcel would still be utilized for agricultural production and would not substantially change the nature of the use or affect surrounding parcels.

### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: NO IMPACT:

The proposal is to allow creation of a parcel under the minimum parcel size standard of the underlying zone district from an existing parcel. The project will not conflict with or obstruct implementation of the applicable Air Quality Plan and will not result in a cumulatively considerable net increase of any criteria pollutant.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: NO IMPACT:

The project site is currently utilized as an agricultural operation with the property improved with vineyards. Per the Applicant, the proposed parcel may be improved with a single-family residence. Both the agricultural operation and the potential single-family residence are not uses that are associated with substantial pollutant generation and will

not expose sensitive receptors to substantial pollutant concentrations. The project will not result in other emissions adversely affecting a substantial number of people.

#### IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: NO IMPACT:

According to the California Natural Diversity Database, the project site is not located within any reported occurrence areas of a special status species. The proposal is to create a new parcel from an existing parcel. The subject parcel is actively being farmed. The Applicant has stated that the created parcel may be improved with a single-family residence with the remainder parcel continuing to be used for agricultural purposes. Based on current conditions, the parcel experiences disturbance that would deter special status species from inhabiting the subject parcel. In considering current conditions, the project proposal, and potential future development, the project will not substantially adversely affect any special status species directly or through habitat modification.

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

According to the National Wetlands Inventory, the subject parcel is not located along the boundary of identified wetlands. There are no riparian or other sensitive natural community identified on or near the subject parcel.

- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The project will not interfere with the movement of any native resident or migratory fish or wildlife species. No native resident or migratory wildlife corridor or native wildlife nursery site has been identified on the subject parcel. The subject parcel is currently



being utilized for agricultural purposes and disturbance of the site has deterred wildlife species from inhabiting the site.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The project will not conflict with any local, state, or federal policies or ordinances protecting biological resources. The project also will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

## V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: NO IMPACT:

The project proposes to create a parcel from an existing property. The property is currently utilized for agricultural purposes and has experienced ground disturbance from existing agricultural activities. As no historical or archaeological resources have been identified on or near the project and considering past ground disturbing activities related to the existing agricultural use, no impact is seen on Cultural Resources.

## VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

The project proposes to create a 1.5-acre homesite parcel from an existing 50.99-acre parcel. The project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources as there is no project construction or operation proposed. The Applicant has stated that a single-family residence could be built at a later date. If a single-family residence is constructed, the residence will be required to abide by the California Building Code which include meeting energy efficiency standards. Therefore, the project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

## VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

FINDING: NO IMPACT:

According to the Earthquake Zone Application administered by the California Department of Conservation, the proposed parcels are not located within a rupture of a known earthquake fault. Additionally, per Figure 9-3 of the Fresno County General Plan Background Report (FCGPBR), the parcel is not located near any other identified Earthquake Hazard Zones.

2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

According to Figure 9-5 of the FCGPBR, the subject parcel is not located in an area identified as being in a probabilistic seismic hazard area. Based on this, the project site is not likely to be subject to strong seismic ground shaking or seismic-related ground failure due to strong seismic shaking.

4. Landslides?

FINDING: NO IMPACT:

According to Figure 9-6 of the FCGPBR, the project site is not located in identified Landslide Hazard areas.

B. Result in substantial soil erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposal would result in creation of a 1.5-acre parcel from an existing 50.99-acre parcel. The existing parcel is actively farmed. The Applicant per the submitted findings indicate the parcel is still intended to be farmed, but also be utilized as a homesite. In considering the Applicant's intent, development of the proposed parcel will result in loss of topsoil. Although a loss of topsoil is considered with the development of the parcel, development will be subject to the most current building code and grading standards, which will reduce developmental impacts resulting from the loss of topsoil. The project will not result in substantial soil erosion.

C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: NO IMPACT:

Approval of the mapping application and removal of the 1.5-acre homesite from the Williamson Act Program will not result in intensive development. Further, there is no evidence that the site is located on a geologic unit or soil that is unstable potentially resulting in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

Per Figure 7-1 of the FCGPBR, the subject parcel is not located in identified Expansive Soil areas.

E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Applicant has indicated that the subject proposal would be utilized for the existing agricultural operation and for a future homesite. If the proposed parcel were to be developed, the project site would be subject to building permits including for any proposed septic system or alternative waste water disposal system. No reviewing agencies and departments indicated that the subject site would not be able to adequately support the use of septic tanks or alternative waste water disposal systems. A Nitrogen Loading Analysis (NLA) was completed for the subject proposal on December 3, 2021. The NLA concluded that the calculated average concentration of total nitrogen in the groundwater is 8.2mg/l, which is below the Environmental

Protection Agency threshold of 10.0 mg/l for drinking water. Therefore, the proposal is seen as having a less than significant impact on wastewater disposal systems.

- F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: NO IMPACT:

There is no known unique paleontological resource, site, or geologic feature. The site is heavily disturbed by agricultural processes and residential development will unlikely increase the risk of disturbing any unknown paleontological or geologic resource or features.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT

The project proposal will allow creation of a homesite (gift deed) parcel and a remainder parcel. The Applicant has indicated that the proposed parcel will be utilized as a home site, but currently, there are no plans for development of the site. The project proposal will not directly generate greenhouse gas emissions, but if development of the parcel were to occur, by-right uses under the Exclusive Agricultural (AE) Zone District are not expected to generate greenhouse gas emissions that would have a significant impact on the environment. San Joaquin Valley Air Pollution Control District (SJVAPCD) has been given the opportunity to review and provide comments on the project. There were no expressed concerns from SJVAPCD to indicate that the project proposal would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gas emissions.

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?



FINDING: NO IMPACT:

The project proposal is to allow creation of a 1.5-acre homesite (gift deed) parcel from an existing 50.99-acre (gross) parcel. The existing parcel is actively farmed. The proposal will not create a significant hazard to the public through the transport, use, or disposal of hazardous materials, nor will it create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter-mile of an existing or proposed school?

FINDING: NO IMPACT:

The project site does not emit hazardous emissions or handle hazardous materials and is not located within one-quarter mile of an existing or proposed school site.

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; or
- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

There are no hazardous material sites located on or near the project site. There are no private airstrips in the vicinity of the project. The project site is not located within a clear and runway zone, inner or outer approach zone, and traffic pattern zone or horizontal or conical zone.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concerns to indicate that the project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Water and Natural Resources Division of the Department of Public Works and Planning reviewed the proposal and determined it will have a less than significant impact on existing water levels in the area. Furthermore, the subject parcel is not located within an area of the County defined as being a water short area. The State Water Resources Control Board did not express concerns that the project proposal would violate water quality standards or waste discharge requirements, nor were concerns expressed to indicate that the project would substantially decrease groundwater supplies or interfere with groundwater recharge. The project proposes to create a 1.5-acre parcel from an existing 50.99-acre parcel. Any development that would occur after the application is approved would be subject to permits and review that will address water usage.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - i. Result in substantial erosion or siltation on or off site?
  - ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
  - iii. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
  - iv. Impede or redirect flood flows?

FINDING: NO IMPACT:

The project proposes to create a homesite (gift deed) parcel from the existing 50.99-acre parcel. There is no development being proposed directly with the proposal. The project will not result in the altering of drainage patterns of the site or alter any course of a stream or river. The project will not result in substantial erosion or siltation. The rate or amount of surface runoff will not increase from the project proposal. Per Fresno County standards, stormwater runoff should not be drained across property lines and be kept onsite. There are no planned stormwater drainage systems that service the project area. The project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems and will not provide

additional sources of polluted runoff. Per FEMA FIRM Panel 2075H, the project site is not subject to flooding from the 100-year storm, therefore the project will not impede or redirect flood flow.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or

FINDING: NO IMPACT:

Per FEMA FIRM Panel 2075H, the project site is not subject to flooding from the 100-year storm. There are no bodies of water near the project site that would indicate the site is at increased risk from tsunami or seiche zones.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

The project was routed to the North Kings Groundwater Sustainability Agency which did not express concern that the proposal would conflict with or obstruct implementation of a water quality control plan or sustainable management plan.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community; or

FINDING: NO IMPACT:

This proposal will not physically divide a community.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Development in Fresno County is required to be consistent with the Fresno County General Plan. Goal LU-A reads "To promote the long-term conservation of productive and potentially productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the County's economic development goals." This goal relates to the environmental impacts of the loss of farmland and is supported by the following policies:

- LU-A.6: The County shall maintain twenty acres as the minimum permitted parcel size in areas designated Agriculture, except as provided in Policies LU-A.9, LU-A.10, and LU-A.11. The County may require parcel sizes larger than twenty (20)

acres, based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.

- LU-A.7: The County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that these parcels are less viable economic farming units and that the resultant increase in residential density increases the potential for conflict with normal agricultural practices on adjacent parcels... the decision-making body shall consider the negative incremental and cumulative effects such land divisions have on the agricultural community.

The above-mentioned policies are intended to address the environmental concern that an increase in the number of homesite parcels and general decrease in parcel size in Fresno County could lead to a conversion of productive agricultural land.

The subject parcel is enrolled in the Williamson Act Program. The proposed 1.5-acre homesite (gift deed) parcel does not qualify to remain in the Williamson Act Program and must be removed from the Program through the contract cancellation process. A Notice of Non-Renewal has been filed by the Applicant for the proposed parcel as a requirement for cancellation. The Agricultural Land Use Committee will determine if the requested early cancellation of the Contract should be granted and make a recommendation to the Board of Supervisors for a final decision.

If the cancellation request is approved, that portion of the contract encompassing the 1.5 acres will be cancelled, and not restricted under the Williamson Act. No immediate development is associated with the application.

## XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

According to Figure 7-7 of the Fresno County General Plan Background Report (FCGPBR) the project site is not located on or near any identified mineral resource locations. Additionally, the project proposal does not directly indicate development of the project site that would result in the loss of availability of a known mineral resource or resource recovery site.

## XIII. NOISE

Would the project result in:



- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: NO IMPACT:

The proposal proposes to create a 1.5-acre parcel from an existing 50.99-acre parcel. There is no development or proposed use involved with this project that would result in generation of substantial noise levels, ground-borne vibrations, or ground-borne noise levels. Existing land uses for the surrounding area are agricultural or residential in nature. The subject parcel is utilized as a vineyard and does not produce noise in excess of the standard noise generation associated with agricultural uses.

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The project site is not located within two miles of a private airstrip, airport land use plan, public airport or public use airport.

#### XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project proposal will not result in substantial population growth, nor does it propose any development that would induce substantial population growth. The project site is utilized for agricultural cultivation with no residence onsite. The project proposes to split the subject parcel into two parcels and will not displace people or housing.

#### XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

1. Fire protection;

FINDING: NO IMPACT:

The North Central Fire Protection District did not express any concerns related to the proposal. Further, the proposed subdivision of land does not pose any increase in demands for services or impede delivery of services.

2. Police protection;

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The limited scope of the proposal, which would create a homesite (gift deed) parcel with occupancy restrictions could allow for the development of a single family residence, but such limited development would not impact police, school parks or other public services or facilities.

## XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project will not result in an increased use of existing neighborhood and regional parks or other recreational facilities and will not require the construction or expansion of recreational facilities.

## XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern to indicate that the proposal conflicts with a program, plan, ordinance or policy addressing the circulation system.

- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: NO IMPACT:

There is no increase in traffic trip generation or vehicle miles traveled associated with the project proposal. The project site is currently utilized for agricultural cultivation with traffic generation associated with the agricultural operation. There is no direct development proposed with the project. Potential development of the site associated with by-right uses of the underlying zone district are not expected to conflict with or be inconsistent with CEQA Guidelines.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concerns regarding the design features of the project or regarding emergency access to indicate that the project will result in hazards or inadequate emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

FINDING: NO IMPACT:

Per Assembly Bill 52 (AB52) participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County on discussing the presence of tribal cultural resources on or near the project site. No participating California Native American Tribe expressed concern with the project proposal. Additionally, the subject parcel has historically been in agricultural use and has experienced ground disturbance resulting from the use. There is no development directly associated with the subject application. Therefore it can be seen that the project does not have an impact on tribal cultural resources.

#### XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or
- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or
- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The project proposes to create a 1.5-acre parcel from an existing 50.99-acre parcel. There is no development proposed with this project, although the Applicant indicates that future residential development may occur. Future residential development would be subject to all applicable federal, state, and local standards. As there is no development directly involved with the subject application, the project will not require the relocation or



construction of water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. The subject site has been historically utilized for agricultural purposes. There is no direct development proposed with this application, therefore no change in water usage will occur. The project will not produce wastewater, therefore no impact will occur on capacity. Solid waste generation will not increase as a result of the project; therefore the project will comply with federal, state and local management and reduction statutes and regulation.

## XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

According to the 2007 Fresno County Fires Hazard Severity Zones in LRA Map by the California Department of Forestry and Fire Protection (Cal Fire), the project site is not located in or near a state responsibility area or land classified as very high fire hazard severity zone. According to the map, the project site is located on or near area designated as being a moderate severity zone. If future development of the site were to occur, development would be subject to applicable fire and building code standards. The project will not result in adverse impacts associated with wildfires. North Central Fire Protection District was given the opportunity to provide comments on the project but did not provide comments.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community,

substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: NO IMPACT:

Based on the project scope, no proposal for new development associated with the application, and current agricultural use, the project does not have the potential to substantially degrade the quality of the environment or reduce the habitat of a fish or wildlife species.

- B. Have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: NO IMPACT

There are no cumulatively considerable impacts identified from the analysis of the subject proposal.

- C. Have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly?

FINDING: NO IMPACT:

There were no identified environmental effects that could substantially cause adverse effects on human beings.

## CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Pre-Application for Certificate of Compliance No. 3537, staff has concluded that the project will not a significant effect on the environment. It has been determined that there would be no impacts to Air Quality, Biological Resources, Cultural Resources, Energy, Hazards and Hazardous Materials, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

Potential impacts related to Aesthetics, Agricultural and Forestry Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, and Land Use and Planning have been determined to be less than significant.

A Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite B, located on the southwest corner of Tulare and “M” Street, Fresno, California.

DDR  
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